



State of New Jersey
Department of Environmental Protection and Energy
Division of Responsible Party Site Remediation
CN 028
Trenton, NJ 08625-0028

Scott A. Weiner
Commissioner

Karl J. Delaney
Director

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NO. P 261 037 779**

Cristopher Anderson
Director of Environmental Affairs
L. E. Carpenter & Company
1301 East Ninth Street
Suite 3600
Cleveland, OH 44144

APR 23 1993

Re: L. E. Carpenter Site
Wharton Borough, Morris County

Dear Mr. Anderson:

The New Jersey Department of Environmental Protection and Energy (Department) has reviewed and evaluated the most recent information presented in the February 25, 1993, letter submitted by Roy F. Weston (WESTON) on behalf of L. E. Carpenter. This letter is intended to finalize all outstanding issues regarding the Feasibility Study, specifically the disposal option of the excess treated ground water.

The Department understands the technical issues which Carpenter is facing regarding the disposal of the excess treated groundwater. WESTON has responded, in a timely manner, to the individual issues which the Department requested in letters dated February 9, 1993 and December 21, 1992. However, the Department has questioned the assumptions used in making preliminary quantitative decisions as indicated below. This letter, in conjunction with a meeting, should clarify the Department's position and enable a final decision to be made regarding the remediation of the L. E. Carpenter site.

Discharge of Excess Treated Groundwater to Rockaway River

The portion of the Rockaway River adjacent to the L. E. Carpenter site has recently been upgraded in classification to a FW2-TM-C1 (Freshwater, trout maintenance, Category 1) in the proposed Surface Water Quality Standards dated February 1, 1993. Any discharge at



this location must meet the anti degradation standard which is the Practical Quantitation Limit (PQL) for that contaminant. Discharge to the Rockaway may be technically feasible, however, I challenge that it will be the most cost effective. Therefore, new estimated cost runs evaluating ground water recharge of the excess treated water and revised surface water discharge at non degradation standards are necessary.

Latitude in ROD

The Department nor USEPA will accept a Record of Decision (ROD) which does not specify the ultimate disposal of all treated ground water. Therefore, the Department cannot grant any latitude for deferring a final decision until design.

Hydraulic Conductivity

In my letter dated February 9, 1993, the Department requested an explanation regarding the shallow aquifer's hydraulic conductivity. WESTON explained that since the stratigraphy of the shallow soils indicate a variable hydraulic conductivity, a classification of Qal silt/clay was more appropriate. However, the conceptual model to develop a preliminary extraction rate used a hydraulic conductivity used a permeability equal to "fine sand - clean sand and gravel" (refer to the USGS permeability table attached). The Department requests that WESTON be consistent in their use of soils classification in discussion and in the modeling, otherwise the Department will not accept the conclusions presented regarding extraction and reinjection.

Comment 4 of the February 25, 1993 letter stated that L. E. Carpenter and WESTON intend to reinfiltrate ground water in the areas where soil are most heavily contaminated. Reinfiltration will occur above the water table in the unsaturated zone. Until recently, the only information regarding the soils stratigraphy above the water table has been through observations during monitor well installation and excavation. Hydraulic conductivity derived from the slug test apply only to the area of the water table and not to the unsaturated zone, which is the where the initially treated groundwater will be infiltrated to. Recent activities, well points and gamma logging, have produced additional information which may substantiate the feasibility of the preferred alternative to reinfiltrate the treated ground water.

I understand that WESTON will be presenting the results of the recent product plume measurement and gamma logging investigations. Should this new data indicate a significant change or provide new insight on the thought processes behind the reinfiltration of treated ground water alternative, the Department requests a copy of the results of the well point investigation and gamma logging interpretation to review prior to the presentation. This

L. E. Carpenter Site
Page 3

way any issues or questions the Department may have may be addressed at the time of the meeting.

Letter of Interpretation

The Letter of Interpretation (LOI) has been issued by the Bureau of Inland Regulation (attached). The LOI has determined that the wetlands and water boundary lines indicated in the report submitted is accurate.

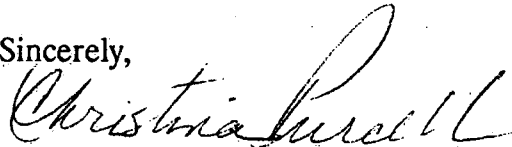
Revised Rockaway River Sediment Ecological Assessment dated March 1993

USEPA has indicated that the revised report has adequately addressed their comments. The Revised Ecological Assessment dated March 1993 is fully accepted by the Department and approved.

An agenda will be forwarded to you as soon as we are able to establish a meeting date. I will call you next week to set up a date and time. I realize that all parties involved are most anxious to move this case forward as soon as possibly, therefore, I again request that any new information you may have be forwarded to the Department for review before the meeting.

Should you have any questions, please contact me at (609) 633-1455. Thank you for your cooperation.

Sincerely,



Christina H. Purcell, Case Manager
Bureau of Federal Case Management

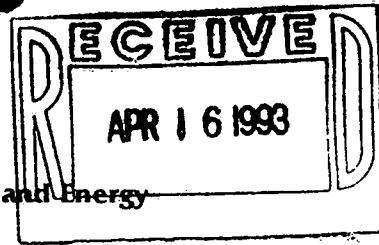
cc: Martin O'Neill, WESTON
John Prendergast, BEERA
George Blyskun, BGWPA
Jonathan Josephs, USEPA



State of New Jersey
Department of Environmental Protection and Energy

Environmental Regulation
Land Use Regulation Program
CN 401

Trenton, NJ 08625-0401
Tel# 609-984-3444
Fax# 609-292-8115



Scott A. Weiner
Commissioner

Robert A. Tudor
Administrator

Ms. Christina Purcell
NDEPE, Bureau of Federal Case Management
CN 028
Trenton, New Jersey 08625-0028

APR 15 1993

RE: Application for Letter of Interpretation, Line
Verification
File No. 1439-93-0001.1
Applicant Name: L.E. Carpenter and Co.
Block 301; Lot 1
Block 703; Lot 30
Block 801; Lot 3
Wharton Borough; Morris County
Rockaway River watershed
Passaic River drainage basin
Nearest waterway: Rockaway River

Dear Ms. Purcell:

This letter is in response to your request for a Letter of Interpretation to verify the jurisdictional boundary of the freshwater wetlands and waters on the referenced property.

Based upon the information submitted, and upon a site inspection conducted on March 2, 1993, the Land Use Regulation Program has determined that the wetlands and waters boundary lines as shown on the plan map entitled, "L.E. Carpenter and Company, Topographic Survey, Block 0301-Lot 1, Block 0703-Lot 30, Block 0801-Lot 3, North Main Street, Borough of Wharton, County of Morris, State of New Jersey, sheet 1 of 1, dated December 16, 1991, last revised November 23, 1992, and prepared by Spillane Engineering Associates, are accurate as shown.

In accordance with an agreement between the New Jersey Department of Environmental Protection & Energy and the U.S. Army Corps of Engineers Philadelphia and New York Districts, the NJDEPE, Land Use Regulation Program is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The above referenced plan accurately identifies the extent of State and Federally regulated wetlands and waters on the property. However, the USACOE retains the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Any activities regulated under the Freshwater Wetlands Protection Act proposed within the wetlands, or the deposition of any fill material into any water area, will require a permit from this office unless exempted under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq., and implementing rules, N.J.A.C. 7:7A. A copy of this plan, together with the information upon which this boundary determination is based, has been made a part of this Program's public records.

In addition, under Federal regulations a Department of the Army permit is required for the discharge of dredged or fill material into waters of the United States which include wetlands. Any proposal to perform such activities within the area of Federal jurisdiction will also require prior approval from the U.S. Army Corps of Engineers.

You are entitled to rely upon this boundary determination for a period of five years from the date of this letter pursuant to the Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A.

This determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labelled with the following note:

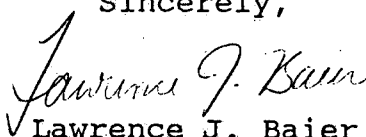
"Freshwater Wetlands/Waters Boundary Line as verified by NJDEPE on March 2, 1993, file # 1439-93-0001.1"

In addition, the Department has determined that the wetlands on the subject property are of intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet. The wetlands have also been identified as being priority wetlands by the U.S. Environmental Protection Agency. This classification may affect the requirements for a Individual Wetlands Permit (see N.J.A.C. 7:7A-3), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-9) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-7). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

It should be noted that this determination of wetlands classification is based on the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including, but not limited to, information supplied by the applicant.

Please contact Maria T. Spagnoletti of our staff at (609) 633-9277 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

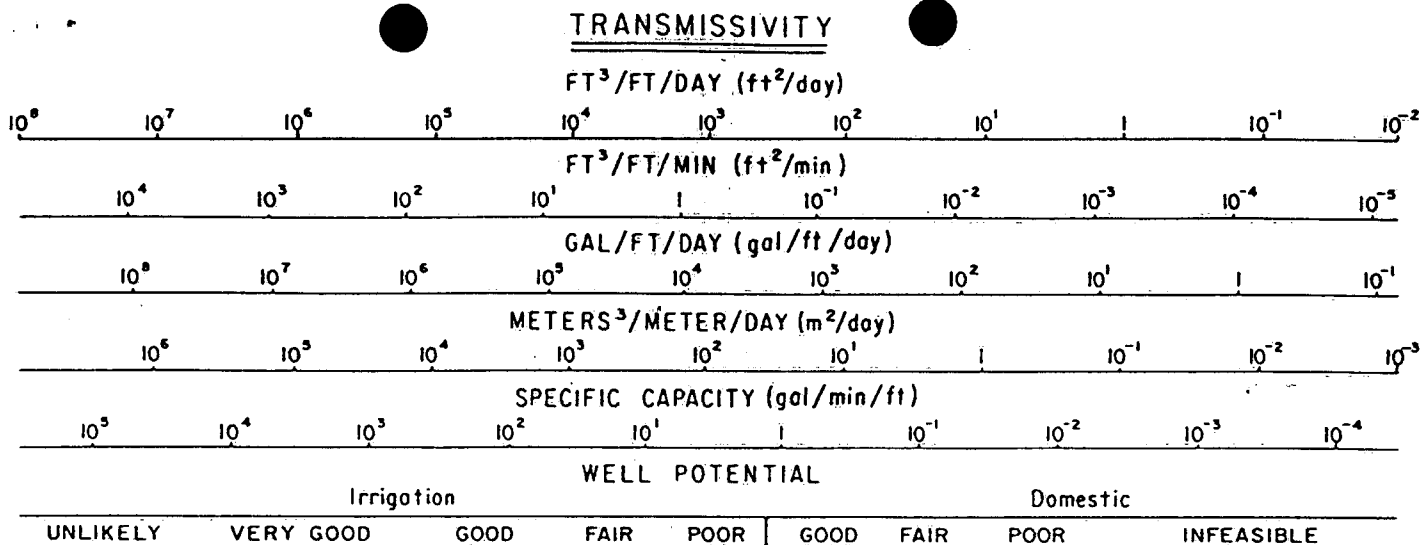
Sincerely,

A handwritten signature in cursive script, reading "Lawrence J. Baier".

Lawrence J. Baier
Section Chief, Morris County Region
Bureau of Inland Regulation

mts

c: U.S. Army Corps of Engineers, New York District
U.S. Environmental Protection Agency
Wharton Borough Clerk
Wharton Borough Planning Board
Morris County Planning Board



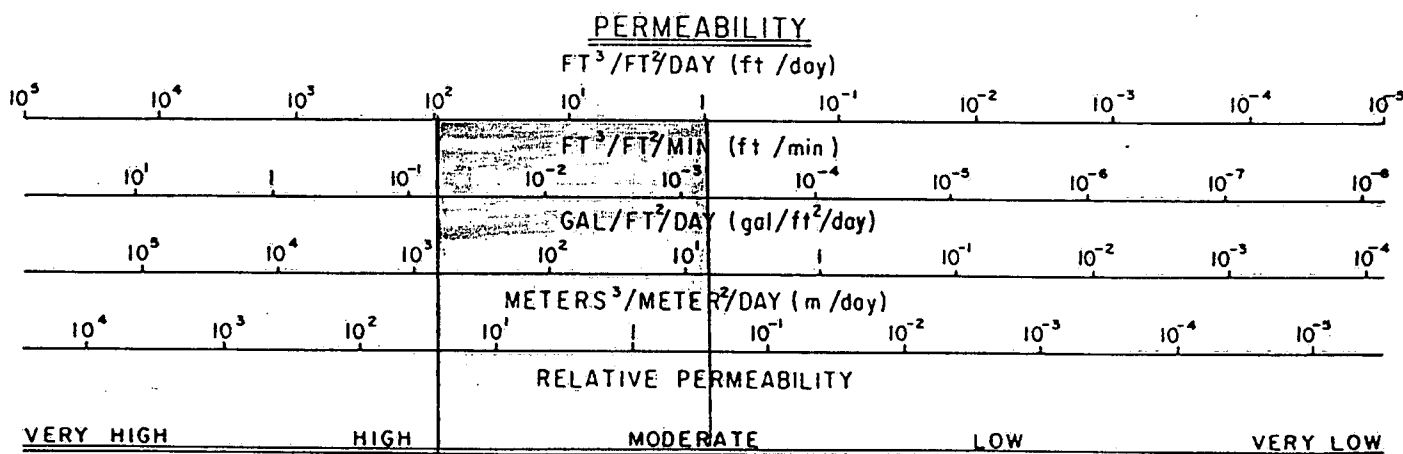
NOTES: Transmissivity (T)=KM where

K=Permeability

M=Saturated thickness of the aquifer

Specific capacity values based on pumping period of approximately 8-hours but are otherwise generalized.

FIGURE 2-4.—Comparison of transmissivity, specific capacity, and well potential. 103-D-1406.



REPRESENTATIVE MATERIALS

Clean gravel	— Clean sand and sand and gravel	— Fine sand	— Silt, clay and mixtures of sand, silt and clay	— Massive clay
Vesicular and scoriaceous basalt and cavernous limestone and dolomite	— Clean sandstone and fractured igneous and metamorphic rocks	— Laminated sandstone shale, mudstone	— Massive igneous and metamorphic rocks	

FIGURE 2-5.—Comparison of permeability and representative aquifer materials. 103-D-1407.